

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

NO. 7:22-CV-2-FL

KATHY JUANITA REAVES,)
)
Plaintiff,)
)
v.)
)
FREDDIE WILLIAMSON, individually;)
MELISSA THOMPSON, individually;)
EVERETTE TEAL, individually;)
HERMAN LOCKLEAR, individually;)
DEBBIE MCKENZIE, individually;)
PUBLIC SCHOOLS OF ROBESON)
COUNTY; PUBLIC SCHOOLS OF)
ROBESON COUNTY BOARD OF)
EDUCATION; CATHERINE TRUITT,)
PUBLIC SCHOOLS OF NORTH)
CAROLINA; NORTH CAROLINA)
DEPARTMENT OF PUBLIC)
INSTRUCTION; NORTH CAROLINA)
STATE BOARD OF EDUCATION;)
STATE OF NORTH CAROLINA;)
ANGELA FAULKNER, individually;)
AMY JOHNSON, individually;)
DEMETRIA GRISSETT, individually;)
and ATKINS TREY MICHAEL,)
individually,)
)
Defendants.)

ORDER

This matter comes before the court on plaintiff's motion for extension of time to make various filings. (DE 142). The subject matter discussed therein includes possible objection to the court's July 20, 2022, order staying the parties' scheduling conference activities, which conference

is a predicate for establishment of case deadlines, including for the making of motion for leave to amend and motion to join another as a party to the action.

The court's July 20, 2022, order, coming on the heels of the clerk's referral the day before of preliminary motions still pending at this time, reads as follows:

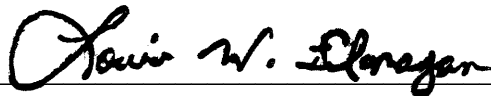
Ordinarily at this juncture the court would trigger the parties' scheduling conference activities, and deadline for provision of their joint report and plan through issuance of initial order regarding planning and scheduling. Where defendants have filed motions to dismiss and pro se plaintiff has filed a motion for leave to amend complaint, good cause appears to delay these activities. Unless a party raises objection in filing due within 14 days from this date, the court stays the parties' scheduling conference activities pending decision on motions submitted for ruling 7/19/22

Any response to that order was due by August 3, 2022. The instant motion seeking "[e]nlargement of [t]ime to comply" with the court's July 20, 2022, order, was not made until August 15, 2022. Therein, plaintiff offers no explanation as to why she had not objected in a timely manner, why she was unable even by then to decide whether to object, or when she would make such a decision. Thus, even if the court was to consider her untimely request, she provides no cause, let alone good cause, for the need for additional time. See Fed. R. Civ. P. 6(b). For all these reasons, plaintiff's motion is DENIED, necessarily including that part where she seeks additional time also to file an amended complaint and make a motion for joinder.

Plaintiff's practice of continued, obstreperous filings does not work to "secure the just, speedy, and inexpensive determination of" the action. Fed. R. Civ. P. 1. The court's resolution of the pending and potentially dispositive motions to dismiss as well as plaintiff's request to amend her pleadings is hindered by repeat, frivolous motion filing by plaintiff, regarding which she has already been admonished. (See, e.g., June 3, 2022, Order (DE 133) at 2; Mar. 17, 2022, Order; February 28, 2022, Order (DE 45) at 3).

Plaintiff is ADMONISHED in this case now to cease filing motions. Let the focus be on the court's resolution of the pending motions, fully briefed, which remain to be decided. And upon their address in a subsequent order, if the case remains pending, then the court will set aside its stay and direct the parties to engage in conference activities. Then, with benefit of the parties' suggested case deadlines, the court will enter a case management order addressing, among other ones, deadlines for the making of motions for leave to amend and/or to join another as a party, discovery deadlines, substantive motion filings deadlines, and the like. If plaintiff attempts another motion filing before this court's resolution of the ones lodged on the docket at entry numbers 103, 114, and 134, it is likely said motion(s) summarily will be denied.

SO ORDERED, this the 31st day of August, 2022.

A handwritten signature in black ink, reading "Louise W. Flanagan", written over a horizontal line.

LOUISE W. FLANAGAN
United States District Judge